

Torrance, California  
July 1, 1958

MINUTES OF A REGULAR MEETING  
OF THE TORRANCE CITY COUNCIL

The City Council of the City of Torrance convened in a regular meeting at 5:30 P. M. Tuesday, July 1, 1958, in the Council Chamber, City Hall, Torrance, California.

Those responding to roll call by City Clerk Bartlett were:  
COUNCILMEN: Beasley, Benstead, Blount, Bradford, Drale, Jahn, Isen.  
ABSENT: COUNCILMEN: None. City Manager Stevens and City Attorney Remelmeyer were also present.

At the request of Mayor Isen, Mr. Don Wilson led the salute to our Flag.

The Reverend Norman Schnaible of the First Lutheran Church opened the meeting with an invocation.

Councilman Drale moved to approve the Minutes of June 17 with a correction to show that he had voted 'no' on the motion to pay Commissioners of the City \$10 per meeting, not to exceed \$20 per month.

Mayor Isen explained that those Minutes carried the correct action of the Council, and that the action shown had been changed by reconsideration of that motion in the meeting of June 24, 1958.

Councilman Beasley moved to approve the Minutes of the June 17 and June 24, 1958, meetings of the Council as written.

Motion seconded by Councilman Jahn.

Councilman Drale had no objections providing his stand on the payment of Commissioners was correctly carried.

There were no objections, and the motion was ordered carried.

BIDS:

Mayor Isen announced this was the time and place for the opening of: Bids for One 1,000,000-Gallon Water Tank, and Three 750 G.P.M. 22' Head Water Pumps.

City Clerk Bartlett presented the Affidavit of Publication of Notice to Bidders on both items.

Councilman Jahn moved this be received and filed.

Motion seconded by Councilman Benstead, no objections, so ordered.

Councilman Benstead asked if only American-made materials would be used, and so moved, with the same stipulation to be made in all City construction from now on.

Motion seconded by Councilman Beasley.

The City Manager said that was a requirement, and that he thought there was a State law which requires this. He stated this was our policy.

There were no objections, and the motion was ordered carried.

City Manager Stevens opened, and City Clerk Bartlett read the totals bid on the Water Tank, as summarized here:

<u>BIDDER:</u>	<u>BOND:</u>	<u>TOTAL BID:</u>
Consolidated Western Steel P. O. Box 2015, Terminal Annex Los Angeles 54 California.	None	\$39,696.00
General American Transportation Corp. 900 Wilshire Blvd. Los Angeles 17, Calif.	None	\$40,610.00

<u>BIDDER:</u>	<u>BOND:</u>	<u>TOTAL BID:</u>
Pittsburgh-Des Moines Steel Co. None P. O. Box 2068 El Monte, California		\$38,545.00
Chicago Bridge & Iron Co. None 712 Fair Oaks Avenue South Pasadena, Calif.		\$39,120.00
Lacy Mfg. Co. None 973 No. Mail Street Los Angeles 12, California		\$39,860.00
Graver Tank & Mfg. Co., Inc. 10% of Amt. Bid 1045 W. Huntington Drive Arcadia, California.		\$40,288.00
Southwest Welding & Mfg. Co. None 3201 W. Mission Road Alhambra, California.		\$39,989.00

Councilman Jahn moved to refer the bids on the Water Tank to A. E. McVicar, Water Dept. Superintendent, for study and recommendation. Motion seconded by Councilman Bradford, no objections, so ordered.

City Manager Stevens opened, and City Clerk Bartlett read, the bids on the Pumping Units as summarized here:

<u>BIDDER:</u>	<u>BOND:</u>	<u>TOTAL BID:</u>
Byron Jackson Pumps, Inc. None P. O. Box 2017, Terminal Annex Los Angeles 54 California.		\$1,056.00 each
Fairbanks, Morse & Co. None 4535 So. Soto Street Los Angeles 58, California		\$1,085.00 each

Councilman Jahn moved to refer the bids on the pumping units to the Superintendent of the Water Dept. for study and recommendation. Motion seconded by Councilman Bradford, no objections, so ordered.

#### WRITTEN COMMUNICATIONS:

1. A June 20, 1958, letter from the County of Los Angeles Board of Supervisors, signed by Gordon T. Nesvig, Chief Clerk, advised the Council that our Resolution No. 3423 was referred to the Road Commissioner early in May. At the June 17, 1958, meeting of the Board of Supervisors, a report was received from the County Road Commissioner recommending that the plans for the Marina Del Rey Small Craft Harbor be not modified. The report was filed, and Mr. Nesvig enclosed a copy for information.

Councilman Jahn moved this be filed as a matter of record. Motion seconded by Councilman Bradford, no objections, so ordered.

#### COMMUNICATIONS FROM THE CITY MANAGER:

1. A June 26, 1958, letter from the City Manager re-submitted a job description for Director of Public Works for the Council's consideration and approval.

Councilman Jahn moved to approve this job description and that the job be bulletined, and the examination ordered.  
Motion seconded by Councilman Drale, no objections, so ordered.

2. A June 26, 1958, letter from the City Manager submitted the following recommendations for the Council's consideration and approval:

PERSONNEL:

That Assistant Chief Porter be authorized to attend the F.B.I. School in Washington, D. C., for a period of 12 weeks commencing August 18, 1958. The estimated extra cost, in addition to his regular salary, for Chief Porter attending this school is \$1500.00. This amount has been set up in the 1958-59 budget. Police Chief Percy Bennett concurs with this recommendation.

APPROPRIATIONS:

For the repair of Bus No. 704 in the Bus Department, the sum of approximately \$4,000. Other bids are being sought for the repair work on the body. It is important that the bus be repaired and returned to service at the earliest possible date. (Copy of the request submitted to the Council)

AWARD OF BID FOR PUBLIC POUND SERVICE:

I recommend that the bid of the South Bay Humane Society. for furnishing pound services for the 1958-59 fiscal year, be accepted as the one being most beneficial to the citizens of Torrance.

The basic bid for both bidders was that 10% of all City Animal License Fees for the fiscal year 1958-59 shall be received by the City.

In addition the Southern California Humane Society, the other bidder, agreed to pay to the City 10% of all kennel fees paid for the fiscal year 1958-59. The Finance Director estimates that this would be a nominal amount.

The recommendation to award the bid to the South Bay Humane Society is based on the fact that the basic bids are the same, and that the location of the pound is much more convenient to the citizens of Torrance, the other bidder's location being at 12910 Yukon Avenue, Hawthorne.

Councilman Drale moved to concur with these recommendations of the City Manager under Personnel, Appropriations, and Award of Bid.

Councilman Benstead asked if the City Manager approved sending Mr. Porter to the F. B. I. school, and the City Manager said he did.

Councilman Beasley seconded Councilman Drale's motion.

Councilman Benstead referred to the request for repair of the bus recommended under 'Appropriations', and asked if it would not be a good idea to be sure the City would be reimbursed for this.

The City Manager said we must get the bus back into service as soon as we can.

Councilman Benstead thought the City's employees could repair the bus for less.

The City Manager said they would do all the work except the body repair, which is estimated at \$1747.50. He explained that every effort has been made to get this done for less, but we cannot. Our employees cannot do the body repair on the bus as it is very heavy.

Councilman Drale asked if we did not have authority from the insurance carrier to go ahead and make the necessary repairs to the bus.

The City Manager explained that we do not have collision insurance; either we will be reimbursed by the carrier on the car which hit this bus or we must pay the costs.

The City Attorney stated that he believed the insurance carrier for the other car would pay this.

Councilman Benstead asked the basis for the City Attorney's opinion.

The City Attorney replied that in this type of accident, it is very unusual when the carrier does not pay. If they do not, we will file suit against them and the chances are that we will recover.

Motion to concur carried unanimously by roll call vote.

3. A June 27, 1958, memo from the City Manager submitted to the Council for their consideration and approval the following recommendation:

APPROPRIATION:

To Kenwald Industries, Inc., for labor and materials needed in dismantling, reassembling, rollers, idlers, seal, kits, etc., on HD-7 Tractor, the sum of \$476.53.

Councilman Jahn moved to concur with this recommendation of the City Manager.

Motion seconded by Councilman Beasley, and carried unanimously by roll call vote.

COMMUNICATIONS FROM THE BUILDING DEPARTMENT:

1. A June 24, 1958, letter from the Q. R. S. Neon Corp., Ltd., signed by J. E. Graves, requested a permit to erect a double-faced post display at 22217 Palos Verdes Blvd., under the name of "SOUTHWOOD SHOPPING CENTER".

A memo from the Supt. of Bldg. was appended, and stated the sign has been submitted at the May 13th meeting and denied without prejudice. The sign is 455 sq. ft., and requires Council approval.

The Bldg. Supt. submitted a sketch of the proposed sign to the Council, and said a representative of the applicant was here. He did not know how many stores would be included by this sign.

Mr. Louis Kelton, 945 No. La Cienega, came forward as the petitioner. He said the Thriftmart there occupies about 120' of frontage, and there is a shoe store, variety store, drug store, and hardware store there, and about 14 stores across the street. He said a number of the store owners were present about this.

Mayor Isen asked where the sign will be located.

Mr. Kelton said at the southwest corner of Sepulveda and Palos Verdes Boulevard. He stated that it is their intention to put this as near the street as they can so it will be as far as possible from the residences nearby. He reported the application had been before the Planning Commission and they had unanimously approved the sign. The sign will be about 70' from bottom to top. It must be that height because of the hill at the west of the property. He believed the height would be an advantage because the houses east, north, and south of the sign would not see it. It will be about the same height as the big "T" sign there. It will be of structural steel and engineered.

Mr. Kelton went on to tell the Council the merchants there have requested this sign because traffic from the west cannot see the shopping center there because of the hill. They got the Q. R. S. Neon Corporation to make this sign because they are one of the two leading sign companies in the City. They want a dignified sign to be representative of the area. The area is attractive and they wish



to maintain it.

Mr. Schlens, Bldg. Supt., said the plans for the sign are in his department, and it will be structurally sound before it is approved.

Councilman Jahn moved to grant the request subject to approval of the Building Superintendent of the structure and location.

Motion seconded by Councilman Beasley.

Councilman Blount asked Bldg. Supt. Schlens if there are any differences in this now and when it was first submitted, and Mr. Schlens said there were none to his knowledge.

Mayor Isen complimented the merchants from that area on the fine job they are doing in the Center in maintaining an attractive, friendly atmosphere.

Councilman Bradford asked where the sign will be located, and Mr. Kelton said in the Thriftmart parking lot as near the intersection of Sepulveda and Palos Verdes Blvd. as is practical. Mr. Kelton said the Building Department requirements will have to be satisfied on set-backs, etc.

Bldg. Supt. Schlens asked if the sign is to parallel Sepulveda or Palos Verdes, saying this would make a difference, and he wanted the information to be given to the Council.

Mr. Kelton said it would face Sepulveda and would be parallel to Palos Verdes. It will probably be on a little diagonal. It would be difficult to make it parallel the street, which curves. He reiterated that they would fulfill the requirements of the Bldg. Dept.

Councilman Bradford asked if this would interfere with the view from the homes behind the Thriftmart.

Mr. Kelton said they would try to place it so there is the least amount of interference possible. He said the sign would probably be on a level with or a little above those homes. He said it would most likely be a little higher than the big "T".

The fact that this had been refused when first presented because of the size of the sign was discussed, and some of the Councilmen felt that in view of the amendment to the sign ordinance the sign is no longer so offensive.

Mayor Isen asked if it would be too much to ask that this sign be restricted to the same height as the big "T".

Mr. Kelton said that was not visible from the west.

Councilman Bradford did not want to see the view from the homes west of this sign to be obstructed.

Motion to grant this request carried by the following roll call vote: AYES: COUNCILMEN: Beasley, Benstead, Bradford, Drale, Jahn, Isen. NOES: COUNCILMEN: Blount. ABSENT: COUNCILMEN: None.

#### COMMUNICATIONS FROM THE LICENSE DEPARTMENT:

1. A June 26, 1958, letter from the Chamber of Commerce asked for a free license to hold the second annual Torrance Ranchero Days July 23-27, 1958, and stated the request was on behalf of 28 non-profit Torrance civic organizations. The letter stated insurance in the amount of \$100,000/\$300,000 bodily injury and \$50,000 property damage had been submitted to the City Attorney on June 1, 1958; the policy names the City of Torrance and all elected and appointed officials as additional insureds.

A memo from License Inspector Whitacre was appended and recommended the necessary free licenses be granted subject to approval of the insurance by the City Attorney. Mr. Whitacre reported all necessary applications are on file in the License Department.

Councilman Jahn moved to concur with the recommendation of the License Inspector.

Motion seconded by Councilman Bradford and carried unanimously by roll call vote.

2. A June 26, 1958, letter from License Inspector Whitacre carried his recommendation for the release of Oil Well Bond #15-1-5931

in the amount of \$1,250 to Eyer Bros., 5301 Eagle St., Long Beach. This has covered their lease known as 'Coast Parker Inc., Eyer Brothers #2, located on Lot 11, Tract 639, SE corner of Sepulveda and Pennsylvania. The well has been abandoned and the property cleared to the satisfaction of Planning Director Powell. The release of the bond is provided for by Torrance City Oil Code, Art. 3, Section 19.29, and has been approved by the City Attorney.

Councilman Jahn moved to concur with the recommendation of the License Inspector that the bond be released.

Motion, seconded by Councilman Bradford, carried unanimously by roll call vote.

#### COMMUNICATIONS FROM RECREATION DEPARTMENT:

1. A June 25, 1958, letter from H. B. Van Bellehem, Director, submitted an analysis of informal bids they received for ribbons, and recommended the low bid of Mason Badge Products in the amount of \$751.00 be accepted and all other bids rejected.

Councilman Beasley moved to concur with the recommendation of the Recreation Director.

Motion seconded by Councilman Benstead and carried unanimously by roll call vote.

#### COMMUNICATIONS FROM ENGINEERING:

1. A June 26, 1958, letter from City Engineer Bishop reported that construction has been completed on the Prairie Avenue Improvement from 182nd St. to 174th St. and has been inspected and approved by the Engineering Dept. The City Engineer recommended this project be approved by the Council in order that final settlement may be made with the contractor.

Councilman Jahn asked about the length of the openings in the curb and whether they conform to our specifications.

City Engineer Bishop said they do not along the school property. They did not request a waiver. They evidently felt they did not have to because they are a School District.

Councilman Jahn thought they should have.

City Engineer Bishop said he has had a meeting with Mr. Waldrip of the School District, and he believed most of these things had been ironed out and we would have better cooperation in the future. The School District had felt we did not want to be bothered with items of this nature.

Councilman Jahn did not think it would be safe to have that many cars backing on to the street.

City Engineer Bishop thought we might ask that they use angle parking.

Councilman Jahn did not agree; we have eliminated this kind of parking in most of the City, and have just improved that street for safety reasons. He believed the schools should conform to our code. This has been before the Traffic Commission, but they can do nothing about it.

City Engineer Bishop said the plans we prepared do not show that opening as being over 30'. That was done at the request of the school, and is in line with what was done at North High.

Mayor Isen suggested holding this over and referring it to the City Attorney to see what jurisdiction we have over the School District in such a matter.

In response to a question from Councilman Benstead, Director of Public Works Russell said the plans were drawn before he took over the Department; Mr. Russell suggested this be held over so he can go over it with the City Engineer.

Councilman Jahn asked the City Attorney to check for him on whether or not the School District is not subject to the City's ordinances, except for building inspection which is done by the State.

There were no objections, and it was ordered this be held over.

2. A June 26, 1958, letter from the City Engineer submitted for reconsideration a communication from the Metropolitan Transportation Engineering Board presenting a map of proposed freeway and expressway plan for Los Angeles County as adopted by that Board.

The City Engineer reported that the Inter-City Highway Committee at their meeting of June 12, 1958, had considered this resolution along with a detailed report from the Metropolitan Transportation Engineering Board and adopted said resolution and report in principle.

Mr. Bishop submitted an excerpt from the minutes of the Inter-City Highway Committee meeting of June 12, 1958 pertinent to this matter.

Councilman Beasley, our representative at the Inter-City Highway Committee, reported that they pointed out that the plans of the freeway are not firm, and may not be for many years. This action is being taken now to get the long-range plans accepted by the State Legislature as recommendations for the future. There have been no additional highways put on the State Highway maps since 1946. The State's engineers have agreed to accept the plans in principle only. This will mean the plans can be put in the State Highway system. These are fairly loose plans, based on the traffic counts, etc., and they recommended the adoption of the resolution in principle only.

City Engineer Bishop reported the Inter-City Highway Committee had adopted the resolution in principle only by motion.

Councilman Jahn moved to adopt the resolution and report in principle only.

Motion seconded by Councilman Beasley, no objections, so ordered.

Mayor Isen directed the Director of Public Works to transmit this information to the proper parties.

3. Final Tract Map No. 24330 - Resubmitted:

A letter of Transmittal from the Engineering Dept., submitted for final approval Tract Map No. 24330, presented by Chacksfield Realty Co., containing 38 lots, located southerly of 186th St., easterly of Gramercy Place, and northerly of proposed San Diego Freeway. Attached were:

a. June 26, 1958, letter from Plng. Director Powell transmitting the Planning Commission's approval of this Tract with stipulations;

b. June 12, 1958, letter from Chacksfield Realty, Inc., re sewer fee and question as to whether it applies to this tract. A "NOTE" was transmitted saying the check had been received from the subdivider to cover this off-site sewer fee.

c. An excerpt from Planning Commission Minutes of May 7, 1958, pertinent to this Tract;

d. May 6, 1958, letter from J. R. Patrick, Asst. to City Engineer, concerning the Final Tract Map and saying it substantially conforms to the tentative Tract Map;

e. May 6, 1958, letter from City Engr. to the Planning Commission re the special sewer connection fee, and recommending that the Planning Commission make payment of the fee a condition of the approval of the final map;

f. May 1, 1958, letter from Southern California Edison Co., Redondo Beach, signed by J. W. Kessler, saying they planned to pole the tract on the rear property lines and there would be no poles on the front property lines or on the streets;

g. March 13, 1958, report from the L. A. County Flood Control District reported their opinion that the tract will be reasonably free from flood hazard provided the lots are graded to drain to the streets; this was signed by W. J. Manetta for H. E. Hedger, Chief Engineer;

h. February 26, 1958, letter from the State Division of Highways, signed by A. L. Himelhoch, approving the tentative map as concerns the Freeway alignment adjacent to tract;

i. A sketch of the tract.

Councilman Jahn asked if the sewer fee had been paid.

City Engineer Bishop reported that the check to cover the full fee is in the hands of the Finance Officer, and that it is up to the Council to say whether the \$997 would be paid to the GRG Construction Co. for connection to the off-site sewer.

Councilman Jahn thought we were required by law to have them make that payment.

The City Attorney said there is some question about that as this is not within the boundary described in the contract with GRG. He thought the better policy would be to allow Chacksfield to pay under protest and let them litigate this with GRG.

Councilman Jahn wanted to be sure we would not be liable for the payment of this fee.

Councilman Beasley asked the City Engineer if this money could not be deposited with the City until the matter is settled, and the City Attorney said that is the course we are now following.

Mr. George Chacksfield, 1346 W. 155th St., Gardena, was present. He had discussed this with the City Attorney, and said he had deposited the check with the City but he did not believe he had done so under protest. He stated he had not made a firm decision as yet as to whether to pay the fee or try to litigate it. The property is not within the boundaries of the District, but he is connecting to the sewer. It is not necessary for him to put an offsite sewer in. He said he was not sure he wanted to make a test of this.

Mayor Isen asked whether Mr. Chacksfield was authorized to speak for Chacksfield Realty in this, and Mr. Chacksfield said he is, and that he is the President of that company.

Mr. Chacksfield agreed to withdraw any restrictions on the check.

Councilman Jahn moved to approve the tract.

Motion seconded by Councilman Drale.

Councilman Bradford questioned the lot sizes.

The Planning Director recalled that when the tract was presented by the letter from the Planning Commission, the letter carried an explanation of the lot sizes, the motion on the tract and why the motion was made.

Mayor Isen told the Planning Director the Council wanted him to furnish them with the information as to lot sizes on the approval of tentative maps.

Planning Director Powell explained that the Letters of Transmittal are written by the City Engineer, but said his secretary could write a letter to cover that point.

Planning Director Powell presented a map of the area, showing that the lots vary in width from 65' to 50'; he said the majority of the lots in the area were 50' lots, and that was why the Planning Commission had recommended lots of that size.

Motion to approve the Final Map of Tract No. 24330 carried by the following roll call vote: AYES: COUNCILMEN: Beasley, Drale, Jahn, Isen. NOES: COUNCILMEN: Benstead, Blount, Bradford. ABSENT: COUNCILMEN: None.

The Councilmen who voted against this approval said they did so because of the size of the lots which do not conform to our ordinance.

At 6:25 P. M., Mayor Isen declared a recess, with the Council re-convening at 6:35 P. M.

#### 4. Tentative Tract Map No. 22228:

A Letter of Transmittal from the Engineering Dept. submitted for tentative approval Tract Map No. 22228, presented by Don Wilson, containing 428 lots located northerly of Torrance Blvd., westerly of Henrietta St., southerly of Del Amo Blvd., and easterly of Redondo Beach City Limits. Attached were:



- a. June 26, 1958, letter from Plng. Director Powell, reporting that the tract was unanimously recommended for approval with the stipulation that the City be advised by the County Regional Planning Commission that they do not want the land for recreation or park purposes. The letter stated that a Change of Zone from M-1 to R-1 is being processed for the area, but will not be referred to the Council until the letter mentioned above is received from the County Regional Planning Commission.
- b. June 26, 1958, letter from A. E. McVicar, Supt. of the Water Dept., recommending that Dominguez Water Corp. be allowed to serve this tract.
- c. June 20, 1958, report from L. A. County Flood Control Dist., signed by W. J. Manetta for H. E. Hedger, Chief Engineer, saying they found the tract needed certain drainage facilities, which were outlined in the letter.
- d. Excerpt from Planning Commission Minutes of June 18, 1958, concerning this Tract.
- e. June 9, 1958, letter from J. R. Patrick, Asst. to City Engr., containing their recommendations on the tract.
- f. A sketch of the Tract.

Councilman Jahn asked about the Change of Zone to R-1 from M-1, saying the area is zoned M-1 and this would allow R-1 use across the street from M-1 use without a buffer zone.

Planning Director Powell said the Change of Zone would be considered when the letter from the County mentioned in their letter has been received, and stated further that the Commission has a petition signed by over 100 residents of the area asking for a Change of Zone on all the property west of Anza.

Councilman Jahn explained to Mr. Powell that approval of the Tentative Map constituted almost certain approval of the Final Map, and he would want to be sure that there was a buffer zone between any land zoned R-1 by this Council and M-1 property.

Mayor Isen asked if the Planning Commission could not hold this until the Change of Zone has been decided upon.

Mr. Powell explained that the Commission cannot do this, as it would be contrary to Council policy.

Mr. Wilson, the petitioner, came forward, giving his address as 24 Portuguese Bend Road, and spoke to the Council.

Mr. Wilson had the letter required from the County Regional Planning Commission, dated July 1, 1958, and stating that they do not plan to use the land in question.

Mayor Isen explained to Mr. Wilson that the Change of Zone was not before the Council, and it should have been. He said the City Attorney had asked to study some legal aspects of this before the final decision is made.

At the direction of Mayor Isen, Mr. Wilson filed the letter from the Regional Planning Commission with Planning Director Powell.

Mayor Isen asked that this matter be held over and taken off the Agenda until the Change of Zone has come before the Council for the date of the third and final hearing to be set, and for the City Attorney to consider the legal aspects of this.

Mr. Wilson said he would consent to having the matter taken from the Agenda at this time.

There were no objections and it was so ordered.

#### COMMUNICATIONS FROM THE PLANNING COMMISSION:

1. CASE NO. 505 - Variance: Letter from Geo. C. Powell, Planning Director, submitting action of Planning Commission on revised Exhibit "A" on Case No. 505, petition of Leo E. Jennings & Associates for a Variance to construct medical buildings on a portion of Lots 26 and 27 of Tract 454, recommended for approval. Attached was:
  - a. An excerpt from Planning Commission Mins. of June 25, 1958, a Special Meeting:

Planning Director Powell presented the revised Exhibit A to the Council, saying the Planning Commission had considered it a vast improvement over the original Exhibit A as approved. The property owners adjacent to the property are very happy with this plan. This plan provides more parking space.

Mr. Powell said no more building could be done on the property than is shown on this plan.

Mayor Isen moved to concur with the recommendation of the Planning Commission for approval of the revised Exhibit A on Case No. 505.

Motion seconded by Councilman Drale, and carried unanimously by roll call vote.

2. CASE NO. 477 - Variance: Letter from Geo. C. Powell, Planning Director, dated June 26, 1958, submitting the Planning Commission's recommendation that an extension of time be granted on the Variance to construct retail stores on a portion of Lot 43 of the McDonald Tract, Petition of Frank Wiegele and F. Eugene Miller.

Councilman Jahn moved to concur with the recommendation of the Planning Commission to allow this extension of time.

Motion seconded by Councilman Beasley and carried unanimously by roll call vote of those present.

3. CASE NO. 516- Variance: Transmittal form from Planning Commission, recommending approval of a request for a Variance submitted by Joe-Don Enterprises, Inc., to permit a commercial development including an ice skating rink and an automatic car wash at the northeast corner of 230th St. and Hawthorne. Attached were:
  - a. A location sketch;
  - b. Excerpts from June 18 and June 25, 1958, Planning Commission Minutes.

Councilman Jahn asked if the matter of dedication of land for street purposes had been straightened out.

Mr. Bellante, speaking for Joe-Don Enterprises, said he had delivered the easement required to the Planning Dept. today.

Mr. Powell said he had a copy of the easement.

Mr. Powell said this was not a restricted building area, and presented Exhibit A, saying all the development would be limited to this Exhibit.

After a short discussion of the planned development with the petitioner, Councilman Jahn moved to grant this Variance.

Motion seconded by Councilman Beasley and carried unanimously by roll call vote.

4. A June 26, 1958, letter from Planning Director Powell, concerned the vacationing of Pacific Coast Highway service road and a portion of Dalemead St. between Crenshaw and Rolling Hills Road.

The letter explained that the Planning Commission had considered the original stipulations on this and the extensive grading on the site, and so recommended that in lieu of the wall originally requested, that a 5' chain link fence be constructed on the north side of Dalemead, as shown on Revised Exhibit A.

Councilman Jahn said the wall had been requested to hide the rear of the store from the view of the residents on Dalemead, and he felt this would not serve this purpose.

Planning Director Powell reported that this 3' to 9' retaining wall will be at the rear of the store, and that there would be a 13' retaining wall immediately back of the market if the 4' wall is required.

Mr. Powell presented an exhibit to the Council showing the retaining wall.



Councilman Drale agreed with Councilman Jahn that the retaining wall and fence would not serve the full intent of the Council in requiring the 4' wall.

In response to a question from Councilman Jahn, Bldg. Supt. Schlens said a minimum height could be required for this wall.

There were no objections, and this was ordered referred to Bldg. Supt. Schlens to try to bring this up to the requirements of the City Council.

At this time, Mr. Wilson asked to be heard about his tract, and read his copy of the minutes showing the motion made by the Planning Commission for approval of his Tract, No. 22228.

Mayor Isen explained to Mr. Wilson that all the requirements of the Planning Commission's motion had not been met, and that the Change of Zone would probably be before the Council for the date to be set for the third and final hearing at the next meeting of the Council. Mayor Isen instructed Mr. Powell to be sure to have all files on this case before the Council at the time of the Public Hearing.

5. WAIVER: Jack Weinstein, 4171 W. 182nd St.

A June 26, 1958, letter from Planning Director Powell submitted to the Council a recommendation of the Planning Commission for approval of an application for a Waiver of the rear yard requirement at 4171 W. 182nd Street.

An Excerpt from the Planning Commission Minutes of June 18, 1958, pertinent to this petition, was attached to the letter.

Councilman Drale moved to concur with the recommendation of the Planning Commission for approval.

Motion seconded by Councilman Jahn and carried unanimously by roll call vote.

COMMUNICATIONS FROM THE CITY ATTORNEY:

1. A statement from Mewborn & Hitchcock re Don Ja Ran vs City, in the amount of \$250 balance due, dated June 25, 1958.

Councilman Drale moved that this balance be paid.

Motion died for lack of a second.

Councilman Jahn felt that the Council had believed the \$2,192.95 previously paid to Mewborn & Hitchcock had paid this in full. He asked what this was for.

The City Attorney explained that the billing was for work that Mr. Mewborn had done on the case, and that his attendance at these meetings to answer questions had been required.

Councilman Beasley asked what the retainer fee had paid and the City Attorney replied that at the time the retainer had been paid to Mr. Mewborn, Mr. Mewborn believed he had already spent about \$200 worth of time on the case over and above the \$500.00.

Councilman Bradford asked if \$20 an hour was the usual fee for attorneys in this kind of work, and the City Attorney thought \$25 an hour would be more usual.

Mayor Isen did not agree.

This matter was discussed very fully.

Mayor Isen had thought the previous bill covered payment in full on this matter, and so had Councilman Benstead.

Councilman Jahn moved to pay this statement.

Motion seconded by Councilman Bradford.

Councilman Beasley asked if employment of the Assistant City Attorney would obviate the necessity of using outside attorneys, and the City Attorney said it would not. He stated the new Assistant will spend most of his time on criminal cases, and the balance of it helping the City Attorney research and prepare material for the City.

Mayor Isen said he was opposed to employing attorneys on this 'blank check' basis.

Councilman Bradford wondered if the employment of another attorney would save money in cases of this kind, but the City Attorney explained to him the necessity for having people represent the City who have staffs of researchers at hand, and who are experienced in the various matters which the City must litigate.

Councilman Bradford asked whether a man could be hired to handle the Dominguez Water matter, and the Attorney said he would want to be sure we hired only an excellent law firm for this. He explained the fees charged by such a firm, ranging from \$25 an hour for their youngest law clerks up to \$75 an hour or more for their senior partners.

Councilman Bradford questioned whether the Unappropriated Reserve would stand such a drain, and the City Manager said it would be paid from the Water Department funds.

The City Attorney explained he had no control over employment of outside attorneys or their fees, but that many times millions of dollars were at stake.

Motion carried by the following roll call vote: AYES: COUNCILMEN: Beasley, Benstead, Blount, Bradford, Drale, Jahn. NOES: COUNCILMEN: Isen. ABSENT: COUNCILMEN: None.

Mayor Isen requested that the City Attorney prepare and present to the Council a listing of the outside agreements we have with attorneys, the approximate amounts involved, etc., and allow the Council to review that.

The City Attorney said this would be given to the Council at their next meeting.

2. A June 25, 1958, letter from the City Attorney replied to Councilman Benstead's query as to whether there are any papers other than the Torrance Herald which can qualify to contract with the City of Torrance for legal advertising, and if the advertising could be handled in any way other than a newspaper.

The City Attorney's answer read as follows:

"In my opinion the Torrance Herald is the only newspaper that can qualify to contract with the City to publish the legal advertising. It is the only newspaper of general circulation printed and published in the City. The Council may contract with the Herald without advertising for competitive bids. Section 8, Article X, Torrance City Charter.

"In lieu of newspaper advertising, notice by posting would suffice in most cases. See Section 10 and 11 of Article IX and Section 7 of Article X, Torrance City Charter. However, I do not recommend posting as a method of giving notice. It is difficult to administer and prove, and there are some statutes which require notice by publication."

Councilman Benstead moved that the letter from the Attorney be filed.

There were no objections and it was so ordered.

3. A June 25, 1958, letter from the City Attorney replied to a question from Mayor Isen at the June 10 meeting as to whether a roll call vote is required on motions involving the spending of money.

The City Attorney reported that 'In my opinion it is necessary to have a roll call vote on motions resulting in the payment of money'. Reasons for the opinion were given by the Attorney.

There were no objections, and the letter was ordered filed.

#### RESOLUTIONS:

1. City Clerk Bartlett read title to:

#### RESOLUTION NO. 3497

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
TORRANCE ESTABLISHING SALARY OF CITY MANAGER  
FOR FISCAL YEAR 1958-59.

Councilman Benstead moved to dispense with further reading of Resolution No. 3497.

Motion, seconded by Councilman Beasley, carried unanimously by roll call vote.

Councilman Jahn moved for adoption of Resolution No. 3497, with the comment that there is no raise in pay here.

Motion, seconded by Councilman Beasley, carried unanimously by roll call vote.

2. City Clerk Bartlett read title to:

RESOLUTION NO. 3498

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THAT CERTAIN EMPLOYMENT AGREEMENT WITH JOHN V. RUSSELL.

Councilman Jahn moved to dispense with further reading of the Resolution.

Motion seconded by Councilman Drale and carried unanimously by roll call vote.

Councilman Jahn moved for adoption of Resolution No. 3498.

Motion, seconded by Councilman Drale, carried by the following roll call vote: AYES: COUNCILMEN: Beasley, Blount, Bradford, Drale, Jahn, Isen. NOES: COUNCILMEN: Benstead. ABSENT: COUNCILMEN: None.

3. City Clerk Bartlett read title to:

RESOLUTION NO. 3499

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING THAT WEEDS GROWING UPON AND IN FRONT OF, AND RUBBISH, REFUSE AND DIRT UPON AND IN FRONT OF CERTAIN PRIVATE PROPERTY IN THE CITY TO BE A PUBLIC NUISANCE, AND DECLARING ITS INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF.

Councilman Jahn moved to dispense with further reading of the Resolution.

Motion, seconded by Councilman Benstead, carried unanimously by roll call vote.

Councilman Jahn moved for adoption of Resolution No. 3499.

Motion, seconded by Mayor Isen, carried unanimously by roll call vote.

ORDINANCES:

1. A June 27, 1958, cover letter from the City Clerk submitted for its second reading Ordinance No. 992, which was unanimously approved at its first reading on June 24, 1958, with all councilmen present.

City Clerk Bartlett read title to:

ORDINANCE NO. 992

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ORDERING THE VACATION OF AN EASEMENT FOR SEWAGE DISPOSAL PURPOSES ON A PORTION OF BLOCK 116 OF THE TORRANCE TRACT IN THE CITY OF TORRANCE.

Councilman Benstead moved to dispense with further reading of the Ordinance.

Motion, seconded by Councilman Drale, carried unanimously by roll call vote.

Councilman Benstead moved for adoption of Ordinance No. 992 at its second and final reading.

Motion, seconded by Councilman Beasley, carried unanimously by roll call vote.

2. With a cover letter dated June 27, 1958, the City Clerk presented for its second reading Ordinance 993, which was unanimously approved with all Councilmen present at the time of its first reading on June 24, 1958, with a correction deleting 'or carport' after 'garage' in (d) under 1.

City Clerk Bartlett read title to:

ORDINANCE NO. 993

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING SUBSECTION "I" OF SECTION 15 OF APPENDIX I OF "THE CODE OF THE CITY OF TORRANCE, 1954", ENTITLED "PROVISIONS FOR OFF-STREET PARKING", SUBSTITUTING A NEW SUBSECTION THEREFOR RELATING TO THE SAME SUBJECT AND ESTABLISHING PROVISIONS FOR LOADING SPACE.

Councilman Jahn moved to dispense with further reading of Ordinance No. 993.

Motion, seconded by Councilman Beasley, carried unanimously by roll call vote.

Councilman Jahn moved for adoption of Ordinance No. 993 at its second and final reading.

Motion, seconded by Councilman Beasley, carried unanimously by roll call vote.

3. With a letter dated June 26, 1958, City Attorney Remelmeyer, as directed by the Council at their meeting of June 17, 1958, submitted an ordinance amending Section 8.11 of the Torrance City Code changing the terms of office of the Civil Service Board according to their directions. The City Attorney also submitted for the information of the Council a copy of the original Code Section 8.11 as adopted by Ordinances No. 326 and 329.

Councilman Beasley moved to return the proposed amendment to the Civil Service Ordinance to the City Attorney to rewrite it to conform to other Commissions which have a four year term of office, that the Mayor shall fill vacancies with approval of the Council as provided in other ordinances, and that a majority vote of the Council shall confirm appointments or shall remove any member from office, and that the board shall elect their Chairman annually.

Motion seconded by Councilman Benstead.

Councilman Drale said he had no objection, but he did want to ask the City Attorney a question; he stated that the Charter says that the Council can amend an ordinance; he said the Civil Service Ordinance under the Charter says 'the City Council shall appoint' the Board of Review or Civil Service Board. He said it also states that before anyone can be removed from that Board it takes a 4/5ths vote of the Council. He said it also states the term of office as set by the Charter. He asked the Attorney when we amend or alter this, saying he felt this would be a complete new ordinance and he believed it is against the will of the people, who voted for the ordinance in the first place on a referendum on the ballot.

The City Attorney replied that it takes great wisdom to put the Charter and parts of the Civil Service Ordinance together; he had given the Council his opinion, which was that the Charter gives the Council the right to amend the ordinance, but whether or not the

provision on the 4/5ths vote controls, there is no way of knowing. The City Attorney added that he could not answer the question about whether or not this is contrary to the will of the people. This is a considerable change, he went on, but perhaps at the time the Charter was adopted the people provided for an amendment and modification without any limitations except as put in here.

Councilman Drale said his point was that the meat of the whole ordinance is being changed.

The City Attorney replied there is no question the Charter controls the Ordinance; whether or not a court would say that the amendments are so great that they would be in effect banned by the Charter, he could not say. He said the only brake on the authority of the Council is contained in the Charter, and whether those brakes would apply here he thought to be a question of judgement on which attorneys could differ. His best judgement, he went on to say, is that the Council can amend the ordinance. He did not know whether it was intended that the 4/5ths provision be modifiable by the Council, and whether or not it was intended that the amendments would be permissible, he said he did not know, except under the general law.

Councilman Drale said everything in the Ordinance had been changed with the new amendments as proposed. Under this, the Council in the future will not be able to select, the 4/5ths majority will be eliminated, saying that it is problematical whether it should be 5/7th or 4/7ths to remove a member of that Board; he said this created a whole new ordinance from that spelled out in the Charter.

The City Attorney said the 4/5ths requirement had not been changed when the Charter was changed to allow for 7 Councilmen; that is because the ordinance is only a part of the charter by reference.

Councilman Jahn pointed out that the motion called for a majority to rule in this case.

Mayor Isen said the motion was to send the proposed Ordinance back to the City Attorney to be re-written. He suggested that the City Attorney research this further.

Motion carried by the following roll call vote: AYES: COUNCILMEN: Beasley, Benstead, Jahn, Isen. NOES: COUNCILMEN: Blount, Bradford, Drale. ABSENT: COUNCILMEN: None.

#### ORAL COMMUNICATIONS:

The City Manager reported that on Thursday, July 17, the regular meeting of the League of California Cities would be held in Inglewood, and that he would make the reservations for those Councilmen who want to attend the meeting.

The City Manager said that one of the requirements of the new Lighting District is that over 1200 notices be posted by July 10; there is a holiday before that, and the City cannot possibly get this tremendous job done without outside help.

The City Manager suggested we authorize Scout Troop No. 728 to do the job under the supervision of adults, for a fee of about \$200.00. He said this is the Troop which has received special notice for civic interest and performance.

Mayor Isen thought it should be clear this would be contracted with an authorized and responsible adult so the City cannot be held liable in the matter.

The City Manager said it would be.

Councilman Beasley moved to concur with the City Manager's recommendation.

Motion seconded by Mayor Isen and carried unanimously by roll call vote.



At 7:30 P. M., Mayor Isen declared a recess, with the Council re-convening at 7:35 P. M.

The City Attorney referred to the matter of the cul de sac in the Kissel Tract concerning which the Council had asked certain questions at the last meeting. Mr. Remelmeyer reported that building permits had been issued for the lots on that cul de sac, and he understood there has been an offer of dedication of 27' for street purposes. The only solution the City Attorney could see for us to do was to accept the easement for public use. There will be three houses there.

Bldg. Supt. Schlens said that will remain a cul de sac and there is a drainage easement on some of the property which will prevent its use for other purposes.

Councilman Beasley explained to the Council that there are seven building pads on the area, but Councilman Jahn said that under this lot split, they cannot all be used.

Mayor Isen recalled that this had come before the Council because the people who live on the cul de sac at present do not want the possible traffic on the street in the future.

The City Attorney explained there will be only 3 more houses and the street will still be a cul de sac.

Bldg. Supt. Schlens explained that he had held the building permits until he had clearance for access from the engineering department. Upon investigation, he found his department had received a notice from Mr. Patrick that there was access and it would be alright to issue the permits. Therefore, the staff had issued the permits. Mr. Schlens did not know whether the access had been received or recorded. He stated he did not check any further when the engineering department has approved such items.

Mr. George Hirschman, representing the developer, said he had sent in a letter saying they will comply with the restrictions of the Planning Commission, who asked for the 27' access.

Planning Director Powell said there were only three lots there, and only access to those three lots. No other lots there can be built on. He said the drainage easement is on the property east of this.

Councilman Drale asked if the street the houses face on will be a full-width street, and the City Engineer said it would not. He understood this would be a 27' street, our minimum access, and it ends on private property.

Councilman Bradford pointed out the people who live there now thought they were buying on a cul de sac, and Mr. Schlens said the street will remain a cul de sac.

Councilman Bradford pointed out that the City does not have to accept the deed to this street.

Councilman Beasley thought we should, as this would be an improvement.

Councilman Jahn asked who had the offer of dedication. He understood this would remain a private road under some conditions.

City Engineer Bishop reported that he had not checked this, but his assistant, J. R. Patrick, had told Bldg. Supt. Schlens this was being dedicated as a public way.

Mayor Isen thought if this was a private road, the dedication would go to the owners of the three homes.

The City Attorney explained that under the Building Code, a house must front on a public way or have access; therefore, he thought it would be better to have the street dedicated as a public street or prevent any building there.

Councilman Jahn brought out the fact that a driveway usually opens on a public way.

The matter of this street was thoroughly discussed from all angles.

The City Engineer said the grading plan has not been approved on this.



The City Attorney thought the dedication of this property as a public street should be accepted to protect future owners of the property. While an easement running with the property could be required instead, he did not think it would serve as well as a public way.

Councilman Jahn pointed out that if the street was retained as a private street, we would not have to maintain it. He favored this plan.

The Bldg. Supt. said we could do that if it is recorded for public use so no one could block access.

Mayor Isen considered this to be a private matter, and that the City did not have to accept anything.

It was agreed that no action on the part of the Council was required as long as the use of the street as public access is required under the Building Code.

Councilman Beasley reported that some of the alleys in the downtown area need cleaning badly.

The City Manager said the Street Dept. is cleaning them now, but that they are very short of personnel.

Councilman Benstead reported he would be away for his vacation for the next two or three weeks.

Councilman Drale asked for a report on the extension of Arlington from 190th Street south.

This was discussed with the City Engineer, who explained the reasons for not getting the street opened by now.

Councilman Drale thought it could be opened as far south as Del Amo or 203rd Street.

Mayor Isen directed the City Engineer and the Director of Public Works to present the Council with a written report on this within the next two weeks.

Councilman Beasley reported that he believed some improvement is being put on the Standard Oil property at Newton and Highway 101 where the property is being considered for condemnation for street use.

The City Attorney reported he had not received the title report on the land which we must have, and that he had gone down there today to try to expedite this. He said he would attempt to stop any improvement on the property in the morning.

Mayor Isen directed Mr. Russell to find out whether the land is being improved, and Mr. Russell said he would do this immediately.

Mayor Isen reported that the next 'City to City' meeting will be on Monday, July 7, in the Council Chamber at 8:00 P. M. He said letters were being sent out about this, but he requested that all interested parties be present.

Mayor Isen called attention to a letter on the Agenda for information only, saying it was from the Women's Club, stating they would bear the expense of planting the parkway from Crenshaw to Maple on Torrance Boulevard with shrubs, probably oleanders.

Asst. Park Supt. Casper Clemmer was present, and said he had seen the letter.

Councilman Benstead asked about the sprinkling system, and the City Manager said we have ordered the pipe for that section of the street from Maple to Madrona, and will get the rest during the year.

Mayor Isen authorized Mr. Clemmer to reply to the letter from the Women's Club.

Mayor Isen referred to criticism concerning failure to fly our Flag. He said the flag is flown every day at the City Hall and

in the public square at Marcelina, Sartori and Cabrillo. He suggested that all citizens also fly the flag on patriotic holidays.

Mayor Isen spoke of the campaign the Elks are having to demand a mandatory 30-year minimum sentence, without parole, for any person convicted of selling heroin or other addictive drugs in a manner not permitted by law. Everyone is agreed on the need for more certain and severe punishment for this type of offender. Mayor Isen suggested that this City Council go on record urging the Governor and the Legislature to pass such legislation, and he so moved.

Councilman Beasley thought the Elks should be commended for their fine work in this matter, and for having spear-headed the movement on this, and seconded the motion.

There were no objections, and it was so ordered, with the City Attorney to prepare such a Resolution for the Council.

Mr. Sotnick, who gave his address simply as Seaside Ranchos, protested the City action in asking that garbage be placed in a pail. Mr. Sotnick explained that he believes garbage should be wrapped in paper before going into the pail, and he discussed this with the Council at some length. Mr. Sotnick told the Council he was speaking for a number of his neighbors as well as himself. He said a letter from the City had requested that no paper be placed with the garbage.

The matter of our contract with the collector was explained to Mr. Sotnick, who asked if someone would check and see if he might continue to wrap garbage in paper before placing it in the garbage can for collection.

J. V. Russell said he would check on this, and if Mr. Sotnick would call him later in the week he would have an answer.

Mayor Isen directed Mr. Russell to reply to Mr. Sotnick and give the Council a copy of the reply.

Councilman Jahn moved all bills properly audited be paid.

Motion, seconded by Councilman Drale, carried unanimously by roll call vote.

The meeting adjourned at 8:10 P. M.



A. H. Bartlett, City Clerk of the City of  
Torrance, California

APPROVED:



Mayor of the City of Torrance